

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**LORI ANN BURLESON,**

**Defendant.**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**Case No. 6:19-CV-03131-MDH**

**ORDER**

Before the Court is the Report and Recommendation of the Magistrate Judge. (Doc. 48). On January 9, 2020, Defendant requested a psychological examination to assess the competency of Defendant to stand trial. (Doc. 30). The Magistrate Judge granted that motion (Doc. 33), and an examination was carried out by Dr. Matthew Opresso, Psy.D., M.Ed., on March 20, 2020. (Doc. 41 at 2). In his report, Dr. Opresso, he opined that Defendant, despite suffering from mental illnesses and substance abuse disorders, would be able to understand the nature and consequences of the proceedings against her and to assist in her own defense and was thus competent to stand trial. (Doc. 41 at 11). A competency hearing was held in the matter on June 2, 2020. (Doc. 46). At that hearing, Defense counsel stated her belief that Defendant's mental condition had improved since she moved for a competency assessment and that Defendant was currently competent to stand trial. (Doc. 47 at 3).

In his Report and Recommendation the Magistrate Judge found by a preponderance of the evidence that Defendant was not presently suffering from a mental disease or defect that would render her unable to understand the nature and consequences of the proceedings against her or to

assist properly in her defense and recommended Defendant be found competent to stand trial. (Doc. 48 at 2). Defendant has not filed exceptions, and the matter is ripe for review.

After careful consideration of the record, the Court finds by a preponderance of evidence that Defendant is not presently suffering from a mental disease or defect that would render her unable to understand the nature and consequences of the proceedings against her or to assist properly in her defense. As such, the Court hereby **ADOPTS** the Report and Recommendation of the Magistrate Judge (Doc. 48) and finds Defendant is competent to stand trial.

**IT IS SO ORDERED.**

Dated: June 23, 2020

/s/ Douglas Harpool  
**DOUGLAS HARPOOL**  
**UNITED STATES DISTRICT JUDGE**